

October 11, 2022

Regular Meeting

Minutes of a Regular Meeting of the Town Board of the Town of Southport, held at the Southport Town Hall, 1139 Pennsylvania Avenue on October 11, 2022.

Members Present: Supervisor Joseph Roman, Council Members Glenn Gunderman, Daniel Hurley, Timothy Steed, Daniel Williams

Others Present: Attorney Kimberlee Balok-Middaugh, Deputy Supervisor Kathleen Szerszen, Code Enforcement Officer Peter Rocchi, Seasonal Code Enforcement Officer Dale Balmer, Town Clerk Carolyn Renko, Deputy Town Clerk Marianne Schrom

The meeting was called to order by Supervisor Roman at 7:00 p.m., followed by the Pledge of Allegiance to the Flag of the United States of America.

Moment of Silence – Supervisor Roman

7:00 p.m. - Presentation was given by Dale Balmer, Seasonal Code Enforcement Officer regarding Cherry Lane Park, LLC.

Monthly reports were received as follows:

Town Clerk Carolyn A. Renko

Town Clerk & Dog License Fees	\$ 2,293.86
Fitzsimmons Lot Sales	\$ 1,100.00
Funds Turned to State & County Agencies	<u>\$ 14,867.89</u>
	\$ 18,261.75

Code Enforcement Officer

Fees Collected: Building Permit Fees	\$ 1,599.00
Building Permit Values	\$ 372,700.00
Operating Permit Fees	\$ 250.00

City of Elmira Animal Control
Justice Office
Recreation/Aging/Youth Services
Residential Deputy

Council Member Gunderman made a motion, Council Member Steed seconded to accept the monthly reports as filed.

There was no Correspondence received.

Council Member Hurley made a motion, Council Member Steed seconded to accept the minutes of September 13, 2022 Regular Meeting and September 20, 2022 Tentative Budget Meeting.

Under Taxpayer's Comments, Agenda and Discussion items only, no one wished to speak.

RESOLUTION NO. 143-2022

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Williams
Seconded by: Gunderman

RESOLVED, that the Abstract of General Fund Claims submitted by the Town Clerk for the month of October 2022, No. 483 through No. 536, not to exceed \$134,473.62, has been audited and approved for payment by this Town Board.

AYES: Gunderman, Hurley, Steed, Williams, Roman
NOES: None
CARRIED.

RESOLUTION NO. 144-2022

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Gunderman
Seconded by: Steed

RESOLVED, that the Abstract of Highway Fund Claims submitted by the Town Clerk for the month of October 2022, No. 180 through No. 200, not to exceed \$232,255.27, has been audited and approved for payment by this Town Board.

AYES: Gunderman, Hurley, Steed, Williams, Roman
NOES: None
CARRIED.

RESOLUTION NO. 145-2022

TRIBUTE TO MILO MILLER FOR THE EAGLE SCOUT AWARD

Resolution by: Hurley
Seconded by: Williams

WHEREAS, Milo Miller of Boy Scout Troop 43 based in the Town of Southport has recently attained the ranking of Eagle Scout Award, one of the highest and most prestigious awards bestowed upon any Boy Scout, and

WHEREAS, Milo Miller recipient of the Eagle Scout Award, who completed a project along Seeley Creek to include removing brush and adding bird and bat boxes.

WHEREAS, Milo Miller has demonstrated a commitment to himself, his family, and the community which is not often displayed by today's young men and women.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby offer its congratulations to Milo Miller, member of Boy Scout 43 and recently named a recipient of the Eagle Scout Award, and be it further

RESOLVED, that the Town Clerk of the Town of Southport is hereby authorized and directed to forward a certified copy of this resolution together with this Town Board's congratulations to this young man.

AYES: Gunderman, Hurley, Steed, Williams, Roman
NOES: None
CARRIED.

RESOLUTION NO. 146-2022

APPROVING PRELIMINARY BUDGET AND DIRECTING PUBLIC HEARING THEREON

Resolution by: Gunderman
Seconded by: Hurley

RESOLVED, that the Tentative Budget, consisting of an estimate of revenues and expenditures, presented to the Town Board and the same has been modified by this Town Board be and the same hereby is approved as the Preliminary Budget for the fiscal year commencing January 1, 2023 and ending December 31, 2023, as the same is set forth in detail therein and a copy filed in the Town Clerk's Office, where the same be available for inspection by any interested person during the office hours of the Town, and be it further

RESOLVED, that the Town Board shall hold a public hearing on the same Preliminary Budget in accordance with Section 108 of the Town Law, as amended, on the 1st day of November 2022, at 6:00 p.m., or as soon thereafter as it can be heard, at the Town Hall, 1139 Pennsylvania Avenue in said Town, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to cause notice of such public hearing to be published at least once in the official newspaper and to cause a copy of such notice to be posted on the sign board of the Town which shall be done at least five (5) days before the date specified for this meeting.

AYES: Gunderman, Hurley, Steed, Williams, Roman
NOES: None
CARRIED.

RESOLUTION 147-2022

ACCEPTING PROPOSAL FROM FAGAN ENGINEERS FOR ENGINEERING SERVICES FOR THE ELMER
GOODWIN PARK TRAIL IMPROVEMENTS

Resolution by: Gunderman
Seconded by: Williams

WHEREAS, The Town Board of the Town of Southport is requesting assistance in providing advisory services related to Elmer Goodwin Park Trail Improvements to include light improvements.

WHEREAS, Fagan Engineers has submitted a proposal to provide assistance in relation to Engineering Services in developing a site plan for the proposed lighting; to include proposed locations, and photometric plans.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby select Fagan Engineers of Elmira, New York, as the firm to provide for the Engineering Services for the Elmer Goodwin Park Trail Improvements, and be it further

RESOLVED, that the services to be provided shall be those set forth in the proposal submitted by Fagan Engineers, and be it further

RESOLVED, that the Supervisor of the Town of Southport is hereby authorized and directed to enter into an agreement with Fagan Engineers for the provision of these services at a cost not to exceed FIVE THOUSAND SIX HUNDRED DOLLARS AND 00/100 (\$5,600.00), and be it further

RESOLVED, that the agreement with Fagan Engineers be subject to the review and approval of the Attorney for the Town.

AYES: Gunderman, Hurley, Steed, Williams, Roman
NOES: None
CARRIED.

RESOLUTION 148-2022

AUTHORIZING SUPERVISOR TO SIGN STATEMENT OF VALUES FOR INSURANCE PURPOSES

Resolution by: Williams
 Seconded by: Hurley

RESOLVED, that the Supervisor be and he hereby is authorized to sign a Statement of Values of articles of Town property and equipment, and be it further

RESOLVED that a copy of such Statement of Values shall be filed with the Town Clerk.

AYES: Gunderman, Hurley, Steed, Williams, Roman
 NOES: None
 CARRIED.

RESOLUTION 149-2022

BUDGET MODIFICATIONS

Resolution by: Gunderman
 Seconded by: Steed

RESOLVED, that the following transfer of funds are as follows:

Budget lines to be Modified	Prior Approved Budget Amt.	Amount of Requested Increase/Decrease	Revised Budget Amt.	Reason for Budget Rev.
From: A1320.4 Audit	\$ 9,500.00	\$ (6,900.00)	\$ 2,600.00	Parking Lot
To: A1620.44 Parking Lot	\$ 50,000.00	\$ 6,900.00	\$ 56,900.00	Parking Lot
From: A1420.4 Attorney	\$ 41,969.25	\$ (18,500.00)	\$ 23,469.25	Chips for Town Parks
To: A6772.44 Programs for Aging	\$ (969.00)	\$ 1,000.00	\$ 31.00	Sr. Bus Trips
To: A8810.4 Cemetery	\$ (2,068.28)	\$ 2,500.00	\$ 431.72	Cemetery Expenses
To: A7310.4 Youth Svc. Cont.	\$ (19,288.15)	\$ 15,000.00	\$ (4,288.15)	Chips for Town Parks

From: A410.1 Town Clerk Per. Svc.	\$ 47,075.48	\$ (10,000.00)	\$ 37,075.48	Chips for Town Parks
To: A7310.4 Youth Svc. Cont.	\$ (4,288.15)	\$ 10,000.00	\$ 5,711.85	Chips for Town Parks
From: DA9060.8 Hospital/Med Active	\$ 85,602.92	\$ (24,500.00)	\$ 61,102.92	Chips for Town Parks
To: DA9060.81 Retiree Medical	\$ (829.83)	\$ 19,500.00	\$ 18,670.17	
To: DA5142.11 Snow Removal OT	\$ (3,350.86)	\$ 5,000.00	\$ 1,649.14	

AYES: Gunderman, Hurley, Steed, Williams, Roman
 NOES: None
 CARRIED.

RESOLUTION NO. 150-2022

SETTING PUBLIC HEARING

Resolution by: Gunderman
 Seconded by: Hurley

RESOLVED, that the Town Board of the Town of Southport will hold a public hearing on Wednesday, November 9, 2022 at 7:00 p.m., or as soon thereafter as it can be heard, for the purpose of hearing any and all public comment regarding Local Law No. 7 of 2022, to Override Tax Levy Limit for taxable 2023 year established in General Municipal Law.

AYES: Gunderman, Hurley, Steed, Williams, Roman
 NOES: None
 CARRIED.

RESOLUTION NO. 151-2022

REFERRAL TO NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR A SPEED STUDY ON
SNOWBURG ROAD IN THE TOWN OF SOUTHPORT

Resolution by: Gunderman
Seconded by: Williams

WHEREAS, there has been presented to this Town Board a request for a speed study on Snowburg Road in the Town of Southport.

NOW THEREFORE BE IT RESOLVED, that this Town Board hereby refers to the New York State Department of Transportation a request for a speed study on Snowburg Road in the Town of Southport.

AYES: Gunderman, Hurley, Steed, Williams, Roman
NOES: None
CARRIED.

Under Discussion was ARPA funding. The Board members had a brief discussion and this will be put on the November meeting agenda.

Next was update on 521 Schuyler Avenue. Code Enforcement Officer Pete Rocchi stated he is waiting on the asbestos survey. This will be put on the November meeting agenda.

Discussion items #3 and #4, Referral to Town of Southport Planning Board proposed Amendment to §525-114 and proposed Amendment to §497-12 will be tabled to the November meeting, as the Town of Southport Planning Board did not meet in October.

RESOLUTION NO. 152-2022

SETTING PUBLIC HEARING

Resolution by: Gunderman
Seconded by: Williams

RESOLVED, that the Town Board of the Town of Southport will hold a public hearing on Wednesday, November 9, 2022 at 7:00 p.m., or as soon thereafter as it can be heard, for the purpose of hearing any and all public comment regarding amendment to §245, Construction Codes, Uniform.

AYES: Gunderman, Hurley, Steed, Williams, Roman
NOES: None
CARRIED.

RESOLUTION NO. 153-2022

SETTING HOURS FOR TRICK-OR-TREATING ON HALLOWEEN

Resolution by: Hurley
Seconded by: Steed

RESOLVED, that the Town of Southport does hereby declare the hours of trick-or-treating on Halloween night, October 31, 2022, be from 5:00 p.m. to 8:00 p.m.

AYES: Gunderman, Hurley, Steed, Williams, Roman
NOES: None
CARRIED.

Lastly under Discussion was Restore NY. Supervisor Roman stated that the Town will wait until the next round of funding to submit the application.

Under Taxpayer's Comments, Martin Bailey who lives in Pennsylvania but owns a business in Southport at 1848 Pennsylvania Avenue, Pine City, commented on the Town of Southport's opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments and temporary 12-month Moratorium for Operating unlicensed retail businesses involving the transfer, distribution or sale of cannabis within the Town of Southport. He would like a variance to be able to do this at his business.

Council Member Gunderman made a motion, Council Member Williams seconded to adjourn the meeting.

The meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

Carolyn A. Renko, Town Clerk